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Response Under 37 CFR 1.116
Expedited Procedure
Examining Group No. 1661
Plant Patent Application
Serial No. 09/664,247
Atty. Docket No.: 2384-001440
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit 1661 :
In re Application of :
WILHELM ELSNER : VARIETY OF GERANIUM PLANT
Serial No. 09/664,247 : NAMED 'PENDEC'
Filed September 18, 2000 :
Examiner - S. McCormick : Pittsburgh, Pennsylvania
July 16, 2002

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

BOX AF

Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated April 23, 2002 of the Primary Examiner finally rejecting claim 1. A supporting Appeal Brief will be filed in due course.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, Washington, D.C. 20231 on July 16, 2002.

Pamela A. Assad
(Name of Person Depositing Mail)

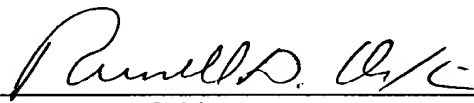
Signature

07/16/02
Date

Pursuant to 37 C.F.R. §1.17(b), a check in the amount of \$320.00 is enclosed herewith to cover the cost of filing the Notice of Appeal. The Commissioner for Patents is hereby authorized to charge any additional fees which may be required to Deposit Account No. 23-0650. Please refund any overpayment to Deposit Account No. 23-0650. One (1) original and two (2) copies of this Notice of Appeal are enclosed.

Respectfully submitted,

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